

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Peggy M. Walker,

Plaintiff,

vs.

Calhoun County School District,

Defendant.

C/A No. 5:09-1987-MBS-PJG

ORDER

The plaintiff, who is represented by counsel, has filed this action seeking relief pursuant to the Family Medical Leave Act, 29 U.S.C. § 2601 et seq., and the Americans with Disabilities Act, 42 U.S.C. § 12101 et seq. The defendants filed a motion for summary judgment on August 27, 2010, pursuant to Rule 56 of the Federal Rules of Civil Procedure. (ECF Nos. 17 & 18.)

The plaintiff has failed to respond to the motion. As such, it appears to the court that she does not oppose the motion and wishes to abandon this action.

Based on the foregoing, it is

ORDERED that the plaintiff shall advise the court as to whether she wishes to continue with this case and to file a response to the defendant's motion for summary judgment within seven (7) days from the date of this order. Plaintiff is further advised that if she fails to respond, **this action will be recommended for dismissal with prejudice for failure to prosecute.** See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.



Paige J. Gossett

UNITED STATES MAGISTRATE JUDGE

September 16, 2010
Columbia, South Carolina